



# School and Child Care Immunization Exemption Law

## Frequently Asked Questions

State law requires that children must be immunized before attending a licensed child care or school. Parents and guardians can help meet this requirement by turning in a completed [Certificate of Immunization Status](#). This form confirms that a child has received all required vaccinations (or that the child already had an illness and is now immune).

If parents or guardians choose to exempt their child from one or more required vaccines, they must fill out the [Certificate of Exemption](#).

In 2011, the Washington State Legislature passed a law that changed the process for getting an immunization exemption. The questions and answers below provide parents, schools, licensed child cares, and healthcare providers information about the exemption process.

### General Information

**1. Q: What does the new law change?**

**A:** The new law says that if parents or guardians request an exemption to immunization requirements for their child, they must get information about the benefits and risks of vaccination from a licensed healthcare provider. The provider must sign the [Certificate of Exemption](#) that parents give to the school or child care. Instead of signing the form, providers may write and sign a letter that contains the child's name and verification that they discussed immunization benefits and risks with the parent.

Parents or guardians belonging to a church or religious body that does not believe in medical treatment do not need a healthcare provider signature on the exemption form.

**2. Q: Why is the law important?**

**A:** Washington State had one of the highest school exemption rates in the nation, in part because our policy made exemptions easy to claim. The law makes sure that exemptions are based on conviction, not convenience.

Immunizations save lives. Diseases can spread quickly in schools and child cares, and unfortunately we have had outbreaks of whooping cough, chickenpox, measles, and other diseases in our state. Unimmunized children are more likely to get a disease that

vaccines can prevent and spread it in their communities.

Children with exemptions on file may be sent home during an outbreak. They can only return to school once the outbreak is over, or if they bring in their immunization records or get vaccinated. This causes disruption of the learning environment. Having fewer convenience-based exemptions will reduce the burden on our schools and child cares.

**3. Q: How can schools and licensed child cares, healthcare providers, and parents or guardians make sure they meet all the new requirements?**

**A:** Schools, licensed child cares, providers, and parents or guardians must use the new Certificate of Exemption to meet the new requirements.

**4. Q: Does the new law change any required immunizations for school or licensed child care entry?**

**A:** No, the vaccines required for school and child care entry are the same.

**5. Q: What's the definition of "conditional" status according to school and licensed child care requirements?**

**A:** "Conditional" status indicates that a child does not have one or more required vaccines on the first day of attendance, or in some cases, after the first day. They can attend school or licensed child care for a limited time until they finish their paperwork. Parents or guardians have 30 days to get their child vaccinated, show a record of past vaccination, or exempt their child for the missing vaccine upon being notified of their child's conditional status.

Some children may get a series of vaccines with recommended intervals between doses. In these cases, the child will remain in conditional status as long as necessary to complete the series in accordance with national immunization guidelines. In all other cases, if a parent does not take action within 30 days, the child may be excluded from school or licensed child care. Children with completed exemption forms will not be in conditional status. See WAC 246-105-020 and 246-105-060 for more information.

## **Effective Date**

**6. Q: When did these changes take effect?**

**A:** The law took effect July 22, 2011, and applies only to exemptions that parents or guardians claim on or after this date.

**7. Q: Will parents/guardians and healthcare providers need to redo an exemption from previous years?**

**A:** An exemption on file at a school or licensed child care that was turned in before July 22, 2011 is still valid. If the parent or guardian requests additional exemptions, a new form will need to be submitted.

**8. Q: Does a student need to submit another exemption for Tdap vaccine if a parent or guardian:**

- a. Already requested an exemption to "all vaccines?"
- b. Checked all of the vaccines on the Certificate of Exemption?

c. Requested an exemption to tetanus, diphtheria, or pertussis vaccines?

**A:** No, if an exemption was obtained under the above scenarios, another exemption form is not necessary for Tdap vaccine. However, a parent or guardian may have used an older version of the Certificate of Immunization Status or Certificate of Exemption (2006 or older) that asks the parent or guardian to list the specific vaccines. If the parent or guardian specifically requested an exemption to DTP or DTaP vaccine, then another exemption needs to be obtained for Tdap vaccine.

**9. Q: Will students need to submit another exemption form due to the varicella requirement changes for school year 2015-2016?**

**A:** No, an exemption requested for varicella vaccine before the exemption law went into effect in 2011 is valid. Another exemption form is not required.

**10. Q: Will children transferring schools within Washington State with an exemption(s) from previous years need to renew the exemption(s) under the new requirements?**

**A:** No. Any exemption received in Washington State before July 22, 2011 is still valid regardless of which school or school district the child attended.

## **Requirements and Process**

**11. Q: How does a healthcare provider verify that they informed parents/guardians about the benefits and risks of vaccination?**

**A:** Healthcare providers sign the pre-written declaration on the exemption form. They can also write a letter that:

1. Indicates they gave the parent information about the benefits and risks of immunization to the child.
2. Contains the child's name.
3. Is signed and dated by the provider.

**12. Q: Does a parent/guardian always have to sign the exemption form?**

**A:** Yes, a dated parent or guardian signature must be on the exemption form for any type of exemption.

**13. Q: Can Washington families who have medical homes in Idaho or Oregon have their out-of-state healthcare provider sign the exemption form or write a letter?**

**A:** Yes, but only if that provider is also licensed in Washington State. Providers who don't hold a Washington State medical license cannot sign the exemption form or write a letter, regardless of where they work or live.

**14. Q: Which healthcare providers may sign the exemption form or write a letter?**

**A:** Only physicians (M.D.), physician assistants (P.A.), osteopaths (D.O.), naturopaths (N.D.), and advanced registered nurse practitioners (A.R.N.P.) licensed in Washington are authorized to sign the exemption form or write a letter. Signatures by registered nurses (R.N.) or licensed practical nurses (L.P.N.) are not acceptable. Military personnel who are WA state-licensed physicians, naturopaths, or advanced registered nurses can sign the exemption or write a letter, if it is within the scope of their official duties.

**15. Q: Does a parent/guardian need to submit the official Washington State Certificate of Exemption, or can they submit an out-of-state exemption form?**

**A:** Parents or guardians are required to submit the official WA Certificate of Exemption. Schools and licensed child cares should not accept an out-of-state form. The Certificate of Exemption must also be signed by a healthcare provider licensed in WA State.

**16. Q: Does a provider need to give vaccinations in order to sign the exemption form or write a letter?**

**A:** Any qualified provider currently licensed in Washington may sign the exemption form (refer to question 14).

**17. Q: Do parents or guardians attach the provider's benefit and risk information to the exemption form?**

**A:** No, the provider signs the exemption form to verify the information was shared. Schools and licensed child cares will have to check that the provider signed the form or letter.

**18. Q: What counts as information on the benefits and risks of immunization?**

**A:** The law doesn't define what benefit and risk information needs to be shared. The licensed health care provider signing the exemption form must decide what information to cover. Many providers already have this type of information. These resources are free and easy to find online:

- Plain Talk About Childhood Immunization (Department of Health booklet in English, Spanish and Russian)
- Questions and Answers (Department of Health)
- Vaccine Information Statements (Centers for Disease Control and Prevention)
- Facts About Childhood Vaccines and Other Materials (Vaccine Education Center, Children's Hospital of Philadelphia)

**19. Q: Are there added costs for parents or guardians because they must make an appointment to get a provider signature?**

**A:** If healthcare providers and parents have already talked about benefits and risks of vaccination, an office visit may not be necessary for providers to sign the exemption form. Providers can decide what they think is necessary. Some may want to discuss it with the parent or guardian face-to-face and ask they make an appointment. A provider may request the form be dropped off for a signature if they have already had this discussion or supplied them with information in the past. Either scenario is acceptable as long as the provider feels confident that the parent or guardian received the necessary information before he or she signs the form.

**20. Q: Can a nurse or health educator give the immunization information and review it with the parent or guardian, then have the form signed by a qualified provider (M.D., P.A., D.O., N.D., A.R.N.P.)?**

**A:** Yes. A clinic or office can use any procedure it chooses to give parents or guardians immunization information as long as the parent or guardian receives it before the qualified provider signs the form.

**21.Q: Does a healthcare provider have to sign the exemption form (or write a letter) within a certain time frame?**

**A:** No. A provider can sign the exemption form or write a letter any time before the child attends school or child care. For example, a provider may sign the exemption form during a well-child visit when a child is two years old and in child care. If the parent or guardian claims an exemption from that same vaccine when the child enters kindergarten, the provider-signed form is still valid. For an exemption from a different required vaccine, the parent or guardian must file a new exemption form.

**22.Q: Does a provider need to sign the exemption form (or sign a letter) for all types of exemptions?**

**A:** For most types of exemptions, providers must sign the declaration on the exemption form (or a letter) confirming that they gave benefit and risk information. The only time a provider doesn't have to sign the form or letter is when a parent/guardian requests a religious membership exemption. Parents or guardians must provide the name of the church or religious body that does not allow medical treatment and sign a declaration on the exemption form.

**23.Q: How does a provider verify a medical exemption?**

**A:** Providers can grant a medical exemption for children with a true medical contraindication to a vaccine. The provider must mark the medically contraindicated vaccine(s) on the exemption form and sign the form.

**24.Q: What must the provider letter include?**

**A:** It must:

1. Confirm that the parent/guardian received information on the benefits and risks of immunizations;
2. Reference the child's name; and
3. Be signed by a qualified healthcare provider.

If the letter has these three things, then schools and licensed child cares may accept it in place of a provider-signed exemption form.

**25.Q: Are copies and faxes of the signed exemption form acceptable?**

**A:** Yes. Schools and licensed child cares can accept copies and faxes of the new exemption form. If anything on the form is not filled out correctly, they must let the parent or guardian know as soon as possible.

**26.Q: Is a copy or fax of the provider letter acceptable?**

**A:** Yes, as long as the letter meets the three minimum requirements explained above (refer to question 24). Make sure that the provider letter is stapled to the parent or guardian signed exemption form.

**27.Q: Can health care providers sign exemption forms (or write letters) for parents or guardians whose children are not their patients?**

**A:** While the law intends for parents to have conversations about vaccine safety with their own healthcare provider, it is not strictly required.

**28.Q: Are healthcare providers legally obligated to sign the exemption form?**

**A:** No, it's up to each provider to decide if they're willing to sign the exemption form. This is between parents or guardians and the healthcare provider.

**29.Q: Can providers get sued (by a parent or guardian, for example) if they sign the exemption form and the child gets sick with a vaccine-preventable disease?**

**A:** No. The new law states that providers signing the form in good faith are not at risk of legal action.

## **Religious Exemptions**

**30.Q: Are all religious exemptions acceptable without the provider's signature?**

**A:** No. Parents or guardians requesting a religious exemption must first get information about the benefits and risks of vaccinations from a licensed healthcare provider. Only parents or guardians requesting a religious *membership* exemption (whose church or religious body does not allow medical treatment) do not need a provider to sign.

**31.Q: How does a parent or guardian requesting a religious membership exemption demonstrate membership in this kind of church or religious body?**

**A:** The parent or guardian must sign a prewritten declaration on the exemption form to indicate they belong to a church or religious body that does not believe in medical treatment from a healthcare provider. They also have to write in the name of the church or religious body. Parents or guardians must have both their signature and the name of their church or religious body to claim this type of religious exemption.

**32.Q: Does a parent or guardian need to supply additional information such as copies of church doctrine, church addresses, or signatures from the religious leadership?**

**A:** No, nothing else will be required as proof of membership or religious affiliation.

**33.Q: What if a parent or guardian refuses to write in the name of the church/religious organization on the exemption form?**

**A:** Then the parent or guardian cannot receive a religious membership exemption. They may submit a religious exemption, but this requires a healthcare provider signature on the exemption form, or a letter confirming that the parent or guardian received the benefit and risk information on immunizations.

**34.Q: What if schools or licensed child cares do not recognize the name of the religious body that the parent or guardian writes on the exemption form?**

**A:** Schools and licensed child cares do not have to verify the religious organization or religious beliefs, even if the name is unknown or seems false.

## **Changing the Exemption Form**

**35.Q: What if the parent or guardian seeks an exemption, but the provider, school, or licensed child care has documentation that the child has already been vaccinated?**

**A:** Explain to the parent the exemption isn't necessary. This will likely resolve the situation. If the parent or guardian still wants an exemption, and he or she supplies the proper information on the exemption form, then the exemption must be accepted.

**36.Q: If a provider, school, or licensed child care discovers that a child has already received a vaccine for which he or she is currently exempted, can the child's exemption be removed?**

**A:** Yes. Confirm with the parent or guardian before the exemption is removed.